

OGC Has Reviewed

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23 August 1955

MEMORANDUM FOR: Chief, Contract Personnel Division

SUBJECT: Contract with [REDACTED]

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1. You have forwarded to this Office for review, a memorandum in lieu of contract, signed by the Chief of Station defining the terms of an oral agreement between himself and [REDACTED]. I have discussed [REDACTED] use with [REDACTED] of [REDACTED] who states that he is used exclusively in an operational capacity. For example, he advises leaders of the local political party we are supporting on how to tighten local election laws. He uses his offices to obtain the waiver of certain legal requirements regarding entry and exit visas. He is presently assisting in the drafting of a constitution for a nearby country where we have an interest in seeing that a constitutional form of government is established and maintained. Because the interests of his government and of ours are compatible he performs many of these services for his government but is paid by us. This Office has no objection to the contract when he is to be used in this manner.

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2. We appreciate your forwarding this and similar contracts and records of agreements to this Office for review and request that you continue to do so in the future. For your general guidance, the interest of this Office in such matters is:

(a) If the lawyer is engaged for use entirely on non-legal operational work such as contact or contact activities or advice on conduct of operations in an area, the approval of this Office is unnecessary. However, we will, at any time, assist in checking the lawyer's status and reputation, if requested.

(b) At the other extreme would be a proposal to utilize an outside lawyer for legal advice on internal Agency matters. This would be a direct concern of this Office and should not be undertaken without our prior approval. Normally such work should only be performed by a staff member of this Office.

(c) In between these two extremes are many potential uses which can only be reviewed on an individual basis to determine the concern of this Office. A lawyer who is to be used to advise an agent under non-proprietary business cover on the local law applicable to his business is normally of no particular concern of this Office, although again we offer our assistance in such arrangements. However, if a lawyer is needed to give legal advice to a proprietary, his use must be cleared

in advance with this Office because we are responsible for the legal aspects of such organizations.

3. In any instance where this Office has responsibility for the selection or approval of lawyers to be used by an Agency activity it has a corresponding interest in the amount and arrangements for payment for the services. On the other hand, where the lawyer is to be used in an operational capacity, the amount to be paid and arrangements for payment may be determined by the operating component without reference to this Office. [ ] use seems to fall in the latter category.

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4. The documents forwarded to this Office on [ ] are returned herewith.

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[ ]  
Office of General Counsel

**Attachments**

**Distribution:**

- 1 - Subject ✓
- 1 - Signer
- 1 - [ ]
- 1 - OGC Chrono
- Orig. & 1 - Addressee

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